

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5 77 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3590

JUL 25 2013

REPLY TO THE ATTENTION OF:

WN-16J

Mrs. Vickie Askins 6335 Solether Road Cygnet, Ohio 43413

Re:

Freedom of Information Act Request

EPA-R5-2013-007790

Dear Mrs. Askins:

This is in response to your June 24, 2013, electronic mail message requesting copies of all communications between the Ohio Department of Agriculture and Region 5 employees since your June 2012 request.

The U.S. Environmental Protection Agency records show that your June 2012 request was dated June 11, 2012 and identified as 05-FOI-01000-12, therefore, this response reflects EPA, Region 5, Water Division and Office of Regional Counsel search of records since June 12, 2012. On July 16, 2013 by electronic mail, EPA notified you that any additional search of records for responsive documents would require you to provide a higher fee commitment. EPA also asked if you would like a copy of Ohio House Bill 59 which is an attachment to a responsive record but would require you to provide a higher fee commitment. By reply electronic mail on July 16, 2013 you stated that you had already accessed House Bill 59 and that you would not be providing a higher fee commitment.

Responsive records from the Water Division and Office of Regional Counsel have been uploaded into FOIA online and a link to those documents will be provided to you by the FOIA office. Enclosure A is an itemized list of the responsive records.

Under FOIA, a cost may be charged for reproducing documents and/or search time. EPA will send a bill of collection for these costs under separate cover. EPA appreciates your prompt payment of these costs.

You may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, NW (2822T), Washington, D.C. 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, email: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, NW, Room 6416J, Washington, D.C. 20004. Your appeal must be made in writing and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the request number EPA-R5-2013-007790. For quickest

possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

If you have any questions, about this matter please contact Julianne Socha at 312-886-4436.

Sincerely,

Jodie M. Opie Kevin M. Pierard, Chief

NPDES Programs Branch

Enclosure

Record		- Chi di e chi delegia delegia del con e c				Number of
Number	Date	Type of Record	Subject	From	То	Pages
					Julianne Socha, EPA; Kevin	
		4	·	,	Elder, ODA; Kelly McCloud, Ohio	
					AG; Kristina Tonn, Ohio AG;	}
					Michael Rodgers, ODA; Michael	İ
	6/13/2012		RE: Criminal Statute changes drafted by our		Berman, EPA; James Morgan,	
1	7:55am	electronic mail messages	Legislative Services	Aaron Farmer, Ohio AG	EPA	2
·			·			
		electronic mail message	·		Aaron Farmer, Ohio AG; Kevin	
		w/attachment:	* -		Elder, ODA; Kelly McCloud, Ohio	
	6/19/2012	Sec_46_03_790_Criminal_pen.d			AG; Kristina Tonn, Ohio AG;	
2	8:48am	ос	Alaska Statute	Michael Berman, EPA	Michael Rodgers, ODA	4
				,		
			4		Julianne Socha, EPA; Aaron	
			RE: Status Call Ohio statutory changes to		Farmer, Ohio AG; Kevin Elder,	
	7/18/2012		address criminal enforcement authority	. ,	ODA; James Morgan, EPA; Kelly	ļ
3	9:47am	electronic mail messages	concerns raised by EPA	Michael Rodgers, ODA	McCloud, Ohio AG	2
			RE: Status Call Ohio statutory changes to			
	7/25/2012		address criminal enforcement authority			
4	9:11pm	electronic mail messages	concerns raised by EPA	Julianne Socha, EPA	Kevin Elder, ODA	2
					Julianne Socha, EPA; James	ŀ
					Morgan, EPA; Michael Berman,	
					EPA w/cc: Kelly McCloud, Ohio	
					AG; Kristina Tonn, Ohio AG;	
	8/2/2012		Office of General Counsel Letter regarding 40		Kevin Elder, ODA; Michael	-
5	9:06am	electronic mail message	CFR 123.27	Aaron Farmer, Ohio AG	Rodgers, ODA	2
					Aaron Farmer, Ohio AG w/cc:	
	8/2/2012		Re: Office of General Counsel Letter		James Morgan, EPA; Julianne	
6	9:24am	electronic mail message	regarding 40 CFR 123.27	Michael Berman, EPA	Socha, EPA	1
			·		Julianne Socha, EPA; James	
				,	Morgan, EPA; Michael Berman,	
					EPA w/cc: Kelly McCloud, Ohio	1
					AG; Kristina Tonn, Ohio AG;	
	8/2/2012		RE: Office of General Counsel Letter	·	Kevin Elder, ODA; Michael	
7	9:25am	electronic mail messages	regarding 40 CFR 123.27	Aaron Farmer, Ohio AG	Rodgers, ODA	2

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Number	Date	Type of Record	Subject	From	To	Pages
					values and the same of the sam	
					Aaron Farmer, Ohio AG; Kevin	
				*	Elder, ODA; James Morgan,	
S		,	,	·	EPA; Kelly McCloud, Ohio AG;	
					Kristina Tonn, Ohio AG; Michael	
	8/3/2012		Ohio Transfer Call - Message about		Rodgers, ODA w/cc: Julianne	
8	4:11pm	electronic mail messages	123.27(a)(3)(ii) Note	Michael Berman, EPA	Socha, EPA	1
					Michael Berman, EPA w/cc:	
					Aaron Farmer, Ohio AG; Kevin	
					Elder, ODA; Julianne Socha,	
		electronic mail message		•	EPA; Kelly McCloud, Ohio AG;	
	8/7/2012	w/attachment: CWA Negligence			Kristina Tonn, Ohio AG; Michael	
9	11:12am	Standard.pdf	CWA Negligence Standard	James Morgan, EPA	Rodgers, ODA	2
	*		·			
					James Morgan, EPA; Michael	
				•	Berman, EPA w/cc: Kevin Elder,	
		:	·		ODA; Julianne Socha, EPA; Kelly	
					McCloud, Ohio AG; Kristina	
	8/7/2012			•	Tonn, Ohio AG; Michael	
10	3:47pm	electronic mail messages	RE: CWA Negligence Standard	Aaron Farmer, Ohio AG	Rodgers, ODA	2
		·			Acron Former Ohio AC	
					Aaron Farmer, Ohio AG; Julianne Socha, EPA w/cc:	
					James Morgan, EPA; Kelly	
				•	McCloud, Ohio AG; Kristina	
	e.		,		1	
	14/6/2012	electronic mail messages			Tonn, Ohio AG; Kristina Tonn,	
	11/6/2012	w/attachment: R.C. 903.30 and	DE OL: NDDECT (W 1 511 004	Ohio AG; Michael Berman, EPA;	
11	11:06am	903.99 - LSC Oct 2012.pdf	RE: Ohio NPDES Transfer	Kevin Elder, ODA	Michael Rodgers, ODA	
12	1/8/2013	ala atmania maji sa a a a a a	DEL Obje NDDEC Transfer	Julianna Carter CDA	Kovin Eldor, ODA	_
12	8:00am	electronic mail messages	RE: Ohio NPDES Transfer	Julianne Socha, EPA	Kevin Elder, ODA Julianne Socha, EPA w/cc: Kelly	13
	2/25/2012	electronic mail message w/o			McCloud, Ohio AG; Aaron	
12	2/25/2013	attachment: Budget as	Colorinal Statute about an la sistation	Karala Eldan ODA	Farmer, Ohio AG; Michael	
13	9:44am	Introduced.pdf	Criminal Statute changes legislation	Kevin Elder, ODA	Rodgers, ODA	1
14	2/26/2013 9:31am	electronic mail messages	RE: Criminal Statute changes legislation	Julianne Socha, EPA	Kevin Elder, ODA	1
14	12.2TqIII	Telectronic mail messages	The Communal Statute Changes legislation	pullatifie Socila, EPA	Ivenii cidei, ODA	1-

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Number	Date	Type of Record	Subject	From	To	Pages
	•				Julianna Saaha, EBA (u/au	
		electronic mail message			Julianne Socha, EPA w/cc: Janelle Mead; John Schlichter;	
	4/3/2013	w/attachment:			Erin Honnold; Julie Phillips;	
15	2:12pm	SKMBT_36313040315040.pdf	State Legislative request on legislation	Kevin Elder, ODA	Aaron Farmer, Ohio AG	2
1.7	2.120111	3KWB1_30313040313040.pdf	State Legislative request on regislation	Reviii Eider, ODA	Aaron ranner, Onio Ad	
					 Kevin Elder, ODA w/cc: Janelle	
				, i	Mead; John Schlichter; Erin	1
				,	Honnold; Julie Phillips; Aaron	
		electronic mail messages			Farmer, Ohio AG; Michael	
	4/30/2013	w/attachment: 2013-04-26			Berman, EPA; James Morgan,	
16	1:10pm	response to KElder.pdf	RE: State Legislative request on legislation	Julianne Socha, EPA	EPA	8
	5/22/2013					
17	3:47pm	electronic mail message		Kevin Elder, ODA	Julianne Socha, EPA	1
	5/22/2013					
18	3:31pm	electronic mail message	other option	Kevin Elder, ODA	Julianne Socha, EPA	1
					Kevin Elder, ODA w/cc: Michael	
	5/22/2013		RE: Ohio criminal enforcement authority for		Berman, EPA; James Morgan,	
19	3:38pm	electronic mail messages	NPDES program	Julianne Socha, EPA	EPA	3
	5/28/2013					
20	5:15pm	electronic mail messages	RE: Conference call on 903.12	Julianne Socha, EPA	Kevin Elder, ODA	1
			·			
					Kevin Elder, ODA w/cc: Aaron	
					Farmer, Ohio AG; Michael	-
	5/29/2013				Rodgers, ODA; Michael Berman,	
21	10:33am	electronic mail messages	RE: Conference call on 903.12	Julianne Socha, EPA	EPA; James Morgan, EPA	1
					Luliana Carles EDA Mistrael	
					Julianne Socha, EPA; Michael	
	5 /20 /2042		COR to a correct to the last to a last to last to a last		Berman, EPA; James Morgan,	
22	5/30/2013		903 language discussed by Michael Rodgers	Kawin Eldan ODA	EPA w/cc: Aaron Farmer, Ohio	1
22	2:34pm	electronic mail message	on today's call	Kevin Elder, ODA	AG; Michael Rodgers, ODA Kevin Elder, ODA; Julianne	1
		electronic mail message			Socha, EPA; James Morgan,	
		-			EPA; Michael Berman, EPA;	
	E /20/2012	w/attachment: Excerpts from 2004 US EPA NPDES inspection			Janelle Mead; Aaron Farmer,	
22	5/30/2013	1	Additional Info on Pight of Entry	Michael Bodgers ODA	Ohio AG	16
23	6:23pm	Manual.pdf	Additional Info on Right of Entry	Michael Rodgers, ODA	TOHIO AG	110

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Number	Date	Type of Record	Subject	From	10	Pages
					Kevin Elder, ODA; James	
					Morgan, EPA; Michael Berman,	
	5/30/2013		RE: 903 language discussed by Michael		EPA w/cc: Aaron Farmer, Ohio	
24	6:47pm	electronic mail messages	Rodgers on today's call	Julianne Socha, EPA	AG; Michael Rodgers, ODA	2
	6/6/2013		FW: 903 language discussed by Michael			
25	9:33am	electronic mail messages	Rodgers on today's call	Kevin Elder, ODA	Michael Berman, EPA	2
					Aaron Farmer, Ohio AG;	
					Michael Rodgers, ODA w/cc:	
		electronic mail message	-		Kevin Elder, ODA; James	
	6/6/2013	w/attachment:	RE: Response to 903 language discussed by		Morgan, EPA; Julianne Socha,	
26	9:43am	20130606093047069.pdf	Michael Rodgers	Michael Berman, EPA	EPA; Steven Jann, EPA	5
	6/12/2013					
27	10:31am	electronic mail messages	RE: 903 statute changes	Kevin Elder, ODA	Julianne Socha, EPA	2